

IN THE UNITED STATES PATENT & TRADEMARK OFFICE
APPEAL BRIEF IN TRIPLICATE

Case Docket No. 6741

Box AF
ASSISTANT COMMISSIONER FOR PATENTS
Washington, D.C. 20231

Dear Sir:

Transmitted herewith is an APPEAL BRIEF IN TRIPLICATE for the patent application:

Inventor(s): B. J. Roselle et al.

Serial No.: 09/446,202 Group Art Unit: 1761


Date Filed: December 16, 1999 Examiner: H. F. Pratt

Title: Microorganism Reduction Methods and Compositions for Food

1. ☐ No additional fee is known to be required.
2. ☒ The fee has been calculated as shown below:

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID FOR	PRESENT EXTRA	RATE	FEE
TOTAL		MINUS		=	x \$18 =	\$
INDEP.		MINUS		=	x \$80 =	\$
FIRST PRESENTATION OF MULTIPLE DEP. CLAIM					+ \$270 =	\$
					TOTAL	\$

3. ☒ The Commissioner is hereby petitioned under 37 CFR §1.136(a) to grant any extension of time needed for timely response to the Office Action dated January 17, 2002 in the above-identified application to preserve pendency of said application. The processing fee under 37 CFR §1.17 has been determined as follows: \$920.00 for a three month extension of time.
4. The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 16-2480. A duplicate copy of this sheet is attached.
 - a. ☒ Any patent application processing fees under 37 CFR §1.16.
 - b. ☒ Any patent application processing fees under 37 CFR §1.17.
5. The Commissioner is hereby authorized to make any additional copies of this sheet needed to accomplish the purposes provided for herein and to charge any fee for such copies to Deposit Account No. 16-2480.


Jason J. Camp
Attorney for Applicant(s)
Registration No. 44,582
Tel. No. (513) 627-8150

June 7, 2002
Customer No. 27752
K:JJC6741\TR6741AB:LSP

06/17/2002 CCHAU1 00000033 162480 09446202
01 FC:117 920.00 CH

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box AF, Assistant Commissioner for Patents, Washington, D.C. 20231, on June 7, 2002

Jason J. Camp 44,582
Name of Attorney/Agent Registration No.

Signature of Attorney or Agent

RECEIVED

COPY OF PAPERS
ORIGINALLY FILED

JUN 21 2002

TC 1700

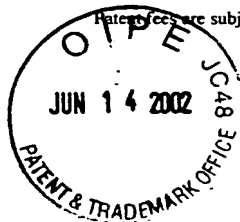
HF11700
13

06-24-02

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

FEE TRANSMITTAL
for FY 2002

Patent fees are subject to annual revision.

**Complete if Known**

Application Number	09/446,202
Confirmation Number	1967
Filing Date	December 16, 1999
First Named Inventor	B. J. Roselle et al.
Examiner Name	H. F. Pratt
Group/Art Unit	1761
Attorney Docket No.	6741

COPY OF PAPERS
 ORIGINAL FILED
 RECEIVED
 JUN 21 2002
 TC 1700

TOTAL AMOUNT OF PAYMENT (\$)1,240.00**METHOD OF PAYMENT (check one)**

- 1.
- ☒
- The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number **16-2480**Deposit Account Name **The Procter & Gamble Company**

- ☒
- Charge Any Additional Fee Required Under status. 37 C.F.R. §§1.16 and 1.17

FEE CALCULATION (continued)**FEE CALCULATION****1. BASIC FILING FEE – Large Entity**

Code (\$)	Fee Description	Fee Paid
101 740	Utility filing fee	<input type="checkbox"/>
106 330	Design filing fee	<input type="checkbox"/>
108 740	Reissue filing fee	<input type="checkbox"/>
114 160	Provisional filing fee	<input type="checkbox"/>
SUBTOTAL (1)		(\$)[0]

2. EXTRA CLAIM FEES – Large Entity

	Extra Claims	Fee from Below	Fee Paid
Total Claims	<input type="checkbox"/> - 20** = <input type="checkbox"/> x	<input type="checkbox"/> =	<input type="checkbox"/>
Independent Claims	<input type="checkbox"/> - 3** = <input type="checkbox"/> x	<input type="checkbox"/> =	<input type="checkbox"/>
Multiple Dependent		<input type="checkbox"/> =	<input type="checkbox"/>

** or number previously paid, if greater; For Reissues, see below

Code (\$)	Fee Description
103 18	Claims in excess of 20
102 84	Independent claims in excess of 3
104 280	Multiple dependent claim, if not paid
109 84	**Reissue independent claims over original patent
110 18	**Reissue claims in excess of 20 & over original patent

SUBTOTAL (2) (\$)[0]**3. ADDITIONAL FEES**

Code (\$)	Fee Description	Fee Paid
105 130	Surcharge-late filing fee or oath	<input type="checkbox"/>
127 50	Surcharge-late provisional filing fee or cover sheet	<input type="checkbox"/>
139 130	Non-English specification	<input type="checkbox"/>
147 2,520	For filing a request for <i>ex parte</i> reexamination	<input type="checkbox"/>
112 920*	Requesting publication of SIR prior to Examiner's action	<input type="checkbox"/>
113 1,840*	Requesting publication of SIR after Examiner's action	<input type="checkbox"/>
115 110	Extension for reply within 1 st month	<input type="checkbox"/>
116 400	Extension for reply within 2 nd month	<input type="checkbox"/>
117 920	Extension for reply within 3 rd month	[920]
118 1,440	Extension for reply within 4 th month	<input type="checkbox"/>
128 1,960	Extension for reply within 5 th month	<input type="checkbox"/>
119 320	Notice of Appeal	<input type="checkbox"/>
120 320	Filing a brief in support of an appeal	[320]
121 280	Request for oral hearing	<input type="checkbox"/>
138 1,510	Petition to institute a public use proceeding	<input type="checkbox"/>
140 110	Petition to revive - unavoidable	<input type="checkbox"/>
141 1,280	Petition to revive - unintentional	<input type="checkbox"/>
142 1,280	Utility issue fee (or reissue)	<input type="checkbox"/>
143 460	Design issue fee	<input type="checkbox"/>
122 130	Petitions to the Commissioner	<input type="checkbox"/>
123 50	Petitions related to provisional applications	<input type="checkbox"/>
126 180	Submission of Information Disclosure Statement	<input type="checkbox"/>
146 740	Filing a submission after final rejection (37 CFR § 1.129(a))	<input type="checkbox"/>
149 740	For each additional invention to be examined (37 CFR § 1.129(b))	<input type="checkbox"/>
179 740	Request for Continued Examination (RCE)	<input type="checkbox"/>
169 900	Request for expedited examination of a design application	<input type="checkbox"/>
091 1280	Acceptance of unintentionally delayed claim for priority under 35 U.S.C. 119, 120, 121, or 365 (a) or (c)	<input type="checkbox"/>
Other fee (specify) _____		<input type="checkbox"/>
Other fee (specify) _____		<input type="checkbox"/>

* Reduced by Basic Filing Fee Paid **SUBTOTAL(3) (\$)** [1240]**SUBMITTED BY**

Name (Print/Type)	Jason J. Camp	Registration No.	44,582	Complete (if applicable)
Signature		(Attorney/Agent)		Telephone
				(513) 627-8150
				Date
				June 7, 2002

WARNING: Information on this form may become public. Credit Card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, D.C. 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, D.C. 20231.